

NOV 02 2004

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PATENT APPLICATION

By:

Brant T. Maurer
Brant T. MaurerDate: November 2, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

GROUP ART UNIT: 3671

EXAMINER: ARPAD F. KOVACS

In re application of: James R. Schmidt)
and Jonathan E. Ricketts)

Application No: 10/731,664)

Filed: December 9, 2003)

Confirmation No. 6364)

Attorney Docket No.: 17238)

For: ROTARY ACCELERATING
APPARATUS FOR A VERTICAL
STRAW AND CHAFF SPREADER
OF AN AGRICULTURAL
COMBINECommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

November 2, 2004

RESPONSE TO OFFICE ACTION

Sir:

In response to the Office Action mailed July 13, 2004, entry of the following Remarks

11/23/2004 EKEY11 00000019 031025 10731664

01 FC:1251 and reconsideration of the claims in light thereof, is respectfully requested.

The U.S. Patent and Trademark Office ("USPTO") is authorized to charge \$110.00, for extension for response within the first month, and any additional fee required to secure entry of this Response to Office Action, or to credit any overpayment, to Deposit Account No. 03-1025.

Application No. 10/731,664

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November 2, 2004

Reply to Office Action mailed July 13, 2004

In summary, and in light of the Applicants' October 27, 2004 telephone conversation with Examiner Kovacs, it is agreed upon that original Claims 1-13 are patentable and in condition for allowance as being distinguishable over the '035 Patent. Therefore, favorable reconsideration of the application is respectfully requested. Should the Examiner believe that the prosecution of the application could be so expedited, he is requested to call Applicants' undersigned Attorney at the number listed below.

Respectfully submitted:

BY Brant T. Maurer

Brant T. Maurer
Attorney for Applicants
Registration No. 53,285

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Approved for use through 07/31/2006. CMB 0651-0032
 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$110.00

Complete if Known

Application Number 10/731,664
 Filing Date December 9, 2003
 First Named Inventor James R. Schmidt
 Examiner Name Arpad F. Kovacs
 Art Unit 3671
 Attorney Docket No. 17238

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																					
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number 03-1025 Deposit Account Name CNH America LLC The Director is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1051 130</td> <td>2051 65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>1052 80</td> <td>2052 25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>1053 130</td> <td>1053 130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>1812 2,520</td> <td>1812 2,520</td> <td>For filing a request for <i>ex parte</i> reexamination</td> <td></td> </tr> <tr> <td>1804 920</td> <td>1804 920</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>1805 1,840</td> <td>1805 1,840</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>1251 110</td> <td>2251 55</td> <td>Extension for reply within first month</td> <td>110.00</td> </tr> <tr> <td>1252 430</td> <td>2252 215</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>1253 880</td> <td>2253 430</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1254 1,530</td> <td>2254 785</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>1255 2,080</td> <td>2255 1,040</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>1401 340</td> <td>2401 170</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>1402 340</td> <td>2402 170</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1403 300</td> <td>2403 150</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>1451 1,510</td> <td>1451 1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>1452 110</td> <td>2452 55</td> <td>Petition to revive - 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SUBMITTED BY		Complete if applicable	
Name	BRANT T. MEYER	Registration No. (Attorney/Agent)	53285
Signature	<i>Brant T. Meyer</i>	Telephone	(262) 636-5369
		Date	November 2, 2004

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